

**MEDICAL LICENSING BOARD OF INDIANA
INDIANA GOVERNMENT CENTER SOUTH
402 WEST WASHINGTON STREET
ROOM W064
INDIANAPOLIS, INDIANA 46204**

MINUTES OF JANUARY 25, 2007

Worthe Holt, Jr., M.D., President called the meeting to order at 8:25 a.m. and declared a quorum in accordance with IC 25-22.5.

Members Present: Worthe Holt, Jr., M.D., President
 N. Stacy Lankford, M.D.,
 Navin Barot, M.D., Secretary
 Thomas Akre, D.O.
 Stephen Huddleston, J.D., Consumer Member
 Bharat Barai, M.D.

Members Absent: William Beeson, M.D., Vice President

Staff Present: Michael Rinebold, Board Director
 Professional Licensing Agency
 Jody Edens, Assistant Board Director
 Professional Licensing Agency
 James Schmitt, Deputy Attorney General
 Office of the Attorney General

The Board voted to adopt the agenda and addendum as amended.

Barot/Lankford, 5/0/0

The Board voted to adopt the minutes of the December 7, 2006 meeting.

Akre/Lankford, 5/0/0

PROBATIONARY APPEARANCES

The physician listed below did not appear for his scheduled probationary appearance:

Stephen Matthews, M.D.

The physicians listed below, appeared per their order and no other issues arose during the probationary appearance:

Glenn Ballengee, D.O.	Sally Booth, M.D.	John Bulger, M.D.
Subrata Dey, M.D.	Thomas Gellersen, M.D.	Michael Johnson, M.D.
Janie Jones, M.D.	Stephen Matthews, M.D.	Robert Mitrione, M.D.
Nancy Noel, M.D.	Timothy Pohlman, M.D.	Deobrah Redd, M.D.
Lawrence Rothstein, M.D.	Steven Stoller, M.D.	

Deborah Provisor, M.D. – Dr. Provisor appeared before the Board for personal appearance and submitted a letter from her Psychologist. She submitted the letter as evidence that she no longer needs to see her Psychologist. After taking this letter into consideration the Board acknowledged the letter and the psychologist's statement in lieu of additional reports.

PERSONAL APPEARANCES

INITIAL APPLICANTS

The following personal appearances were continued.

Edward Southern, M.D.

The following appeared before the Board for their scheduled personal appearances.

Robert Barber, M.D. – Dr. Barber appeared before the Board concerning his medical school education information listed on his initial application and was not represented by counsel. Dr. Barber attended Saba University from 1998-1999. He then transferred and graduated from St. Matthews. He graduated May 2002 at that time St. Matthews was not on the approved, questionable, or disapproved list. In December 2002 St. Matthew's was placed on the disapproved list. He has passed all three (3) steps of the USMLE. After discussion the Board moved to APPROVE Dr. Barber for licensure.

Barot/Holt, 2/2/1 with Dr. Lankford & Mr. Huddleston objecting and Dr. Akre
abstaining

Tied vote therefore it did not pass

After further discussion, the Board moved to TABLE Dr. Barber's application so that the Board would have time to research the school information.

Huddleston/Lankford, 4/0/1 with Dr. Akre abstaining

After further discussion the Board moved to RENEW the TEMPORARY PERMIT through the end of February 2007.

Holt/Huddleston, 4/0/1, with Dr. Akre abstaining
(Dr. Barai was not in attendance)

Thomas Bellinger, M.D. – Dr. Bellinger appeared before the Board concerning his positive response on his initial application and was not represented by counsel. Dr. Bellinger submitted several letters of support from other physicians. He had had a long struggle with depression; he was diagnosed with ADD and Bi-Polar. He has been in family practice since 1988. After discussion the Board moved to GRANT licensure.

Barai/Huddleston, 6/0/0

Matthew Cohen, M.D. – Dr. Cohen appeared before the Board concerning a positive response on his initial application and was not represented by counsel. Dr. Cohen was issued a Residency Permit one (1) year ago along with a Controlled Registration Certificate so he would have supervision for an additional year. Dr. Cohen was diagnosed with ADD and is doing well on his medication. After discussion the Board moved to GRANT full licensure.

Barai/Barot, 5/0/1, with Dr. Holt abstaining

Evan Eckart, M.D. – Dr. Eckart appeared before the Board concerning a positive response on his initial application and was not represented by counsel. During his divorce in 2000 Dr. Eckart was convicted of a DUI. He had to pay a fine and go to alcohol driving classes. He has also received counseling for depression issues. He had a recent addictionology evaluation by Dr. Kelly, but did not have a copy of the evaluation. After discussion the Board moved to TABLE his application until he could obtain a copy of Dr. Kelly's evaluation.

Holt/Lankford, 5/0/0
(Dr. Barai was not in attendance)

Later in the day Dr. Eckart obtained a faxed copy of Dr. Kelly's evaluation. The Board reviewed the report and after discussion moved to GRANT licensure.

Lankford/Holt, 6/0/0

Magsood Jafri, M.D. – Dr. Jafri appeared before the Board regarding his post graduate training on his initial application and was not represented by counsel. He has not completed the required two (2) years of post graduate training. He has completed eighteen (18) months of post graduate training. He has practiced in the United States for the past thirteen (13) years. After discussion the Board moved to GRANT licensure.

Lankford/Barai, 6/0/0

Francis Mathieu, M.D. – Dr. Mathieu appeared before the Board regarding a positive response on his initial application and was not represented by counsel. Dr. Mathieu explained to the Board that when he was pulled over for an improper left turn his driver's license was suspended. His license had been suspended because of unpaid fines. He has licenses in six (6) States. After discussion the Board moved to GRANT licensure.

Huddleston/Lankford, 6/0/0

Krishnaswami Sriram, M. D. – Dr. Sriram appeared before the Board regarding a positive response on his initial application and was not represented by counsel. Dr. Sriram indicated to the Board that he has recently taken and passed his Boards for recertification as a Cardiologist. He was convicted of two (2) counts of Medicaid Fraud. He indicated that the Judge in his Federal case stated that he was a bad businessman but there was no evidence that he was a bad Doctor. He was convicted of fraud due to his bookkeeping and lack of office overview. He stated that his billing system was messed up. The program was automatically sending out duplicate bills regardless of whether they had been paid or not. His Illinois license was placed on Probation in September 2006; this caused New York to do the same. He is on Probation in both states until his criminal probation is completed. After discussion the Board moved to GRANT licensure on PROBATION with the same terms as his Illinois probation.

Barai/Lankford, 6/0/0

Jennifer St. Croix, M.D. – Dr. St. Croix appeared before the Board regarding a positive response on her initial application and was not represented by counsel. Dr. St. Croix was placed on Probation in her Colorado Residency Program for not meeting standards. Her program requested that she go to the Physicians Health Program; which she did. It was a one time meeting. She left the program and completed her residency in Wisconsin. The evaluations she submitted from Wisconsin indicates she completed without problems. After discussion the Board moved to TABLE her application pending the report from the Physicians Health Program. The Board also moved to allow Dr. Holt and Mr. Rinebold the authority to review the additional documentation to determine licensure.

Holt/Akre, 6/0/0

Kaveh Soleimanpour, M.D. – Dr. Soleimanpour appeared before the Board regarding his initial application and was not represented by counsel. Dr. Soleimanpour does not meet the USMLE 7 year rule. He indicated to the Board that the reason it took him more than 7 years to pass all three (3) Steps of the USMLE he was on medical leave of absence for a year. He has a license in the District of Columbia. After discussion the Board moved to TABLE his application for one (1) year so that he can retake the Steps needed to meet the USMLE 7 year rule.

Lankford/Huddleston, 4/1/0, with Dr. Barot objecting

Craig Travis, M.D. – Dr. Travis appeared before the Board regarding his initial application and was not represented by counsel. Dr. Travis did not have any positive responses on his initial application however the NPDB report indicated that he should have answered positive for malpractice. Dr. Travis stated that it was not his intent to deceive the Board. During the review of Dr. Travis' application it was noted that he actually filed his application before the malpractice case was settled and that it was possible that he didn't know about the settlement when he filed his application. After discussion the Board moved to GRANT licensure.

Huddleston/Akre, 6/0/0

Let the record reflect that Worthe Holt, M.D., President left for the day.

ADMINISTRATIVE HEARINGS

The following hearing was continued:

Robert D. Hutchcraft, H.A.D., License No. 170001030A, Cause No. 2006 MLB 0033

Terri Lynn Savage, M.D., License No. 01059566A, Cause No. 2006 MLB 0039

John Kevin Burns, M.D., License No. 01043507A, Cause No. 2006 MLB 0035

John A. King, D.O., License No. 02002194A, Cause No. 2005 MLB 0038

Riley Snook, M.D., License No. 01053264A, Cause No. 2006 MLB 0024

Respondent did appear in person and was represented by James Voyles regarding a Petition for Extension of Summary Suspension/Petition for Termination of Summary Suspension scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting.

An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Elizabeth Kiefner, Deputy Attorney

General. The agreement included a thirty (30) day EXTENSION of the SUMMARY SUSPENSION.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Huddleston/Lankford, 5/0/0

Robert Craig Gregori, M.D., License No. 01035883A, Cause No. 2007 MLB 0002

Respondent did not appear in person and was represented by James Voyles regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Mark Mader, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting.

An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Mark Mader, Deputy Attorney General. The agreement included VOLUNTARY INDEFINITE SUMMARY SUSPENSION until the resolution of his Federal case.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Lankford/Barai, 5/0/0

Michael Todd Adams, M.D., License No. 01045935A, Cause No. 2005 MLB 0013

Respondent did appear in person and was not represented by counsel regarding a Request for Reinstatement scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting.

A settlement between the Respondent and the Attorney General's Office was presented to the Board by Elizabeth Kiefner, Deputy Attorney General. The settlement included INDEFINITE PROBATION with the following terms and conditions:

- Quarterly declarations of compliance of all Board orders
- Keep a log of all controlled substances prescribed and submit log to Board for review
- May not administer, personally furnish, or possess controlled substances without prior approval by the Board.
- Abstain from the use and possession of drugs and alcohol & report relapse within 72 hours
- Be compliant with his aftercare program
- He must have his supervising physician send reports to the Board and should he return to practice in Indiana he must contact ISMA for an evaluation.

- Must maintain his alcohol and drug rehabilitation programs and submit documentation of such to the Board on a monthly basis.
- May not work more than fifth (50) hours per week unless approved by the Board.
- Must submit logs of work dates; times; place of employment to the Board.
- Must supply all States where his is licensed and all employers; hospitals etc with a copy of the Indiana order.
- Must send Indiana copies of all reports he sends to other State Boards.
- Show cause language
- Respondent agreed to purchase a transcript of his hearing and said copy will be placed in his litigation file for future reference.

The term for the purchase of the transcript for this hearing was added to the agreement during the discussion. The Board specifically indicated that the Respondent does not have to make personal appearances in front of the Board. The Respondent and the Attorney General's Office were both in agreement to this addition.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Huddleston/Barot, 5/0/0

Anthony DeLuco, M.D., License No. 01043866A, Cause No. 2006 MLB 0013

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Tracy Fitz, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Lankford/Barai, 5/0/0

Ann Verlene Govier, M.D., License No. 01041278A, Cause No. 99 MLB 0021

Respondent did appear in person and was not represented by counsel regarding a Request for Modification scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting.

Dr. Govier's sobriety date is July 7, 2002. She recently had a hearing in the State of Ohio to have her Ohio probation modified from personal appearances every three (3) months to every six (6) months. The State of Ohio approved this modification. Dr. Govier is appearing before the Indiana Board with the same modification request.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the modification request.

Huddleston/Barai, 5/0/0

Charles R. Chube, M.D., License No. 01045841A, Cause No. 2005 MLB 0023

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Tracy Fitz, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting.

An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Tracy Fitz, Deputy Attorney General. The agreement included INDEFINITE SUMMARY SUSPENSION until the completion of their Federal appeal process.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Barai/Akre, 4/0/0
(Dr. Lankford was out during this hearing)

David D. Chube, II, M.D., License No. 01038347A, Cause No. 2005 MLB 0024

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Tracy Fitz, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting.

An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Tracy Fitz, Deputy Attorney General. The agreement included INDEFINITE SUMMARY SUSPENSION until the completion of their Federal appeal process.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Barai/Akre, 4/0/0
(Dr. Lankford was out during this hearing)

Kevin C. McCallum, M.D., License No. 01042595A, Cause No. 2003 MLB 0039

Respondent did appear in person and was not represented by counsel regarding his Request for Withdrawal of Probation scheduled before the Board. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting. Candace Backer, ISMA was sworn in as a witness for the Respondent.

Dr. McCallum's license was placed on probation by agreement during the 2001 license renewal process. His sobriety date is April 2001. He has successfully completed all terms of his probation order.

Candace Backer, ISMA testified that the Respondent signed a contract with ISMA September 18, 2003 for Alcohol abuse. He is in good compliance and recommends the removal of probation.

After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to WITHDRAW his ORDER OF PROBATION.

Barot/Akre, 4/0/0
(Dr. Lankford was out during this hearing)

Mauro Joseph Agnelneri, M.D., License No. 01052295A, Cause No. 2004 MLB 0005

The Respondent did appear in person and was not represented by counsel regarding his Petition to Terminate Probation scheduled before the Board. The State of Indiana was represented by Mark Mader, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting.

Dr. Agnelneri informed the Board that he has successfully completed all terms on his probation order. He was placed on Probation after he was charged with a Class D Felony of child pornography. He pled down to a Class A Misdemeanor. He received criminal probation, which has been completed. He voluntarily saw a psychologist and went to group meetings for sexual offenders. He sees a therapist monthly.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to WITHDRAW his Order of Probation.

Barot/Huddleston, 3/0/2, with Dr.'s Lankford and Barai abstaining

Mark Ray Albrecht, M.D., License No. 01042753A, Cause No. 2007 MLB 0001

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Linda Batton, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting.

James G. Holland, Esq., and Laurie Kauffman, DEA were sworn in as witnesses for the State of Indiana.

Ms. Batton informed the Board that at this time Dr. Albrecht has been admitted to Wishard Hospital's Psychiatric Unit.

Mr. Holland testified that his law office is directly across the street from Dr. Albrecht's office/home. He stated that Dr. Albrecht was seen standing outside his office/home in his underwear for about two (2) hours in freezing temperatures. Mr. Holland's partner called the police and he was later taken away in an ambulance and wasn't seen for a couple of days. Mr. Holland also stated he saw a person running out of Dr. Albrecht's office/home with something hidden under his coat. Mr. Holland went over to check and see if Dr. Albrecht was ok. He indicated that the office/house was in total disarray and that he did speak with Dr. Albrecht. He stated Dr. Albrecht told him the guy had stolen a guitar and some other music equipment.

Laurie Kauffman, DEA testified that during her investigation of Dr. Albrecht, they found that he had ordered 45,000 Hydrcodone pills and that after reviewing all of his records and counting all pills found in Dr. Albrecht's office/home there were 30,000 Hydrcodone pills unaccounted for. She also stated that Dr. Albrecht's method for securing controlled substances was to hide the bottles of pills through out his office/house.

After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for a period of ninety (90) days.

Barai/Akre, 4/1/0, with Dr. Barot objecting

Ronald L. Sagalowsky, M.D., License No. 01022328A, Cause No. 2006 MLB 0032

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Linda Batton, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge, with Andy Rutledge Reporting. Linda Lay, R.N., Medical Analyst with the Attorney General's Office was sworn in as a witness for the State.

Ms. Lay testified that Dr. Sagalowsky abandoned his patients. In 2005 he closed his office without notifying his patients. Many of his patients were cancer patients and some had to undergo painful retesting because their new physician did not have access to their records from Dr. Sagalowsky. Dr. Sagalowsky was located in Florida and he stated that he had left the closing of his practice and the notification of his patients to his office assistant. Ms. Lay informed the Board that the office assistant he left in charge was in her eighth (8th) month of pregnancy and it was a very difficult pregnancy. He indicated to Ms. Lay that he was moving to Maine. Ms. Lay requested that as soon as he was settled in Maine to

please inform her of his current contact information. She has not heard from him since.

After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Lankford/Barai, 5/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION.

Barai/Lankford, 5/0/0

REVIEW OF INITIAL APPLICATIONS

The Board reviewed the positive response information on the following applicants and approved them for issuance:

G. Tom Biuckians, M.D.	Mohammad Eldeeb, M.D.	William Lynn, M.D.
Cyprian Gardine III, M.D.	Matthew Givens, M.D.	Nancy Hoffmann, M.D.
Peeter Jakobson, M.D.	Scott King, M.D.	Susan Lai, M.D.
Guy Lemire, M.D.	Maurice Linkous, M.D.	William Noble, M.D.
Jack Morgan, Jr., D.O.	Thomas O'Connor, M.D.	Paola Ramirez, M.D.
Alberto Righi, M.D.	Margo Roca, M.D.	Venkat Sami, M.D.
Terrence Samuel, M.D.	Donald Schwarten, M.D.	Lal Tanwani, M.D.
Badri Taparia, M.D.	Richard Tomczyk, Jr., D.O.	Daniel Tuffariello, M.D.
Sharon Rooney-Gandy, D. O.		

The Board reviewed the positive response information on the following applicants and requested that they personally appear before the Board:

Kurt Guindon, M.D.	Reginald Puckett, M.D.	Richard Repass, M.D.
Robert Rutledge, M.D.	Bryan Stegman, M.D.	Larry Strong, M.D.
Samuel Thompson, M.D.		

DISCUSSION

A discussion was held concerning the revised proposed rules for the Office Based Procedures. The interested parties included members from the following associations:

Indiana State Medical Association
Indiana Society of Anesthesiologists

Indiana Academy of Family Physicians
Indiana Association of Nurse Anesthetists

The revised rule contained provisions to include regional blocks within regulations concerning the use of anesthesia in the office setting. This would not include local anesthesia, topical anesthesia, superficial nerve blocks or minimal sedation/anxiolysis. Comments were made concerning the proposed language in which a total dosage administered exceeded the recommended dosage described in the manufacturer's package insert. This language was opposed by the Indiana Academy of Family Physicians. It was suggested that it would be acceptable to all interested parties if this was changed to the total maximum dose per body weight as allowed by the package insert. This change will be reflected in the next version of the rule.

Additional comments were heard by the Board concerning the definition of "immediate presence".

The Board took the discussion under advisement and will work towards drafting a revised version of the rule and distribute to all interested parties.

It was noted that this rule would be discussed again next month with the four national accreditation groups. AAAASF, AAAHC, the Joint Commission and Healthcare Facilities Accreditation Program will present to the Board and interested parties and answer questions. The discussion will begin at 10am.

The Board thanked everyone for their participation and input.

2007 Election of advisor to the Controlled Substance Advisory Committee – The Board appointed Thomas Akre, D. O. as the Board's advisor to the Controlled Substance Advisory Committee. Dr. Bharat Barai, M.D. will attend the January 26th meeting and then Dr. Akre will complete the year for the CSAC meetings.

Lankford/Barot, 5/0/0

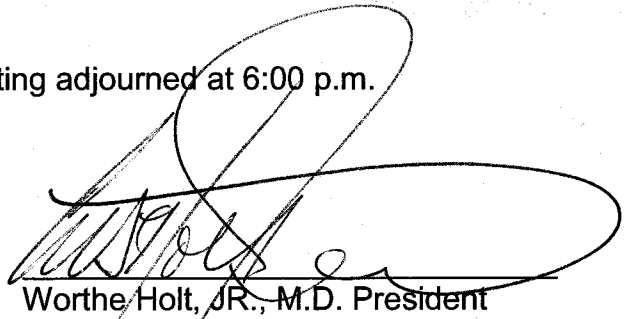
Arnaldo Trabucco, M.D. – Dr. Trabucco is requesting a hearing to explain to the Board his circumstance affecting him that may lead him to move out of state. After discussion the Board moved to GRANT him a hearing.

CONSENSUS

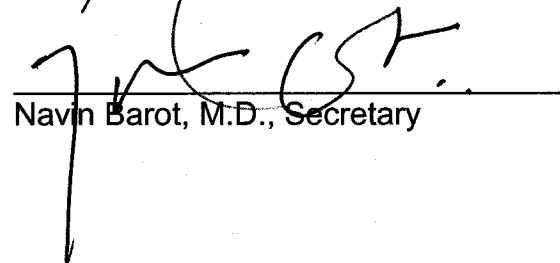
Probation Personal Appearances – The Board discussed the personal appearances made by Practitioner's on Probation. They stated that to help with the timing of the hearings they would request that Michael Rinebold, Board Director and his staff take over meeting with the probation personal appearances. After discussion the Board voted to move the responsibility of

meeting with the Practitioner's on Probation to staff. This will be effective with the February 22, 2007 meeting.

There being no further business the meeting adjourned at 6:00 p.m.



Worthe Holt, Jr., M.D. President



Navin Barot, M.D., Secretary